

Nos. 13-17154, 13-17102

IN THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FACEBOOK, INC.,

Plaintiff-Appellee,

v.

POWER VENTURES, INC. AND STEVEN VACHANI,

Defendants-Appellants,

Appeal from the United States District Court
for the Northern District of California
Case No. 5:08-cv-05780-LHK, Honorable Lucy Koh

**DEFENDANTS-APPELLANTS' UNOPPOSED MOTION TO FILE LATE
JOINT REPLY BRIEF AND DECLARATION OF AMY SOMMER
ANDERSON IN SUPPORT THEREOF**

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**DEFENDANTS-APPELLANTS' UNOPPOSED MOTION TO FILE LATE
JOINT REPLY BRIEF**

Defendants-Appellants Power Ventures, Inc. and Steven Vachani move for a one-day extension of time in which to file their joint Reply Brief. In support of this motion, Defendants-Appellants state as follows:

1. Defendants-Appellants' optional Reply Brief was due August 4, 2014.

2. Defendants-Appellants prepared and attempted to file their joint Reply Brief via Appellate ECF just prior to the August 4, 2014 11:59 PM deadline. Due to technological interference—presumably a slow or interrupted internet connection—Defendants-Appellants brief was received at 12:02 AM on August 5, 2014, which is three minutes after the filing deadline.

3. On August 5, 2014, the Clerk sent a notice rejecting the filing and requiring a motion to file a late brief.

4. Defendants-Appellants provided notice to Facebook regarding this motion. Facebook indicated they consent to the late filing and will not oppose this motion.

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CONCLUSION

For the foregoing reasons, the Court should grant a one-day extension of time for Defendant-Appellants to file their joint Reply Brief.

Respectfully submitted,

AROPLEXLAW

Dated: August 5, 2014

/s/ Amy Sommer Anderson
Amy Sommer Anderson
Attorney for Defendant-Appellant Power
Ventures, Inc.

FILER'S ATTESTATION: Pursuant to Circuit Rule 25-5(f), I attest under penalty of perjury that all other parties on whose behalf the filing is submitted concur in the filing's content.

Respectfully submitted,

Dated: August 5, 2014

/s/ Amy Sommer Anderson

DECLARATION OF AMY SOMMER ANDERSON

I, AMY SOMMER ANDERSON, state as follows:

I am counsel for Defendant-Appellant Power Ventures, Inc. in this matter. I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the facts set forth in the foregoing motion are true and correct to the best of my knowledge and belief.

Executed this 5th day of August, 2014, in San Francisco, California.

/s/ Amy Sommer Anderson
Attorney for Defendant-Appellant
Power Ventures, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on August 5, 2014.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ Amy Sommer Anderson
Attorney for Defendant-Appellant
Power Ventures, Inc.